

ST. LOUIS



CENTER

4333 Goodfellow Boulevard
St Louis, Missouri 63120
(314) 679-6200

RECEIVED

APR 06 1999

March 30, 1999

Ms Kara L Valentine
Assistant Attorney General
P O Box 899
Jefferson City, MO 65102

Re: St. Louis Job Corps Center Settlement Agreement

Dear Ms Valentine

Attached, please find three signed copies of the settlement agreement and a check for \$1,000 made payable to the St Louis County Treasurer as Trustee for the St Louis County School Fund. In addition, enclosed please find documents as follows

-an internal e-mail message dated February 9, 1999 from Mr Paul Milam, National Office of Job Corps, to Acting Regional Director Donna Kay, Kansas City. The attachment confirms the Department of Labor's commitment

-a letter dated March 23, 1999 from myself to Acting Regional Director Donna Kay, Kansas City, seeking technical assistance to provide additional staff training and asking the Department of Labor to conduct an internal environment audit of its facility

We appreciate the efforts of your department as well as the Missouri Department of Natural Resources in developing a solution to this issue. We look forward to working with all parties to ensure that the St Louis Job Corps Center is a safe place for both the students that we train and the employees who work at the center.

Most sincerely,

Site St Louis Ordnance Plant

ID MO82100224645

Break 11 11



2025799

1

Sterling Roath
Center Director

SR

Enclosures:

Settlement Agreement (3)
Settlement Check
Copy of January 29, 1999 letter
Copy of Internal e-mail
Copy of March 23, 1999 letter

cc Jerry Davis, Regional Office of Job Corps, Kansas City
 John Jurgensmeyer, MDNR-HWP, Jefferson City

SETTLEMENT AGREEMENT

This Settlement Agreement is between the Missouri Department of Natural Resources (MDNR), the Missouri Attorney General, and the St Louis Job Corps Center (Job Corps)

WHEREAS, Job Corps is a federal agency and an extension of the United States Department of Labor Job Corps teaches trades to indigent youth and offers pay during their training The facility is composed of multiple buildings used as classrooms, shops, dormitories, offices, and other support facility buildings These buildings are part of land owned by the Army Reserve and formerly the U S Army's St Louis Ordinance Project Job Corps leases the site from the Army Reserve Some of the buildings have been razed due to the renovation for Job Corps One of these decommissioned buildings contained the containers found during the inspection described below to have been moved to another on-site building for storage

WHEREAS, Job Corps normally generates approximately 40 pounds of hazardous waste per month and considers itself a conditionally exempt small quantity generator of hazardous waste Hazardous wastes are routinely generated from the facility's paint shop operations The materials consist mainly of mineral spirits and waste paint

WHEREAS, the MDNR believes the Missouri Hazardous Waste Management Law has been violated by Job Corps at its facility located at 4333 Goodfellow Boulevard, St Louis, St Louis County, Missouri

WHEREAS, the MDNR inspected Job Corps' facility on January 8 and 12, 1998 and issued Notice of Violation No 5078 for 9 violations of the Missouri Hazardous Waste Law and regulations

WHEREAS, Notice of Violation No 5078 alleged the following violations of the Missouri Hazardous Waste Law and regulations

1 Storage of hazardous waste exceeded the allowed 180 days (270 days if transported greater than 200 miles), in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 34(a)

2 Storage containers not clearly marked "Hazardous Waste", in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 34(d)(4), referencing 40 CFR 262 34(a)(3)

3 Storage area not inspected and maintained weekly, in violation of 10 CSR 25-5 262(2)(C)2 C (II), referencing 40 CFR 265 174

4 Storage area did not have a "No Smoking" sign posted, in violation of 10 CSR 25-5 262(2)(C)2 F(II)

5 Storage area did not have spill control equipment properly maintained, in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 34(d)(4), referencing 40 CFR 265 33

6 Storage area did not have the following posted near phone the emergency coordinator's name and phone number, fire department phone number, location of a fire extinguisher and the location of spill control equipment, in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 34(d)(5)(ii)

7 Hazardous waste containers were not in good condition, in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 34(a)(1), referencing 40 CFR 265 171

8 Hazardous waste containers were not labeled during the entire onsite storage period, in violation of 10 CSR 25-5 262(2)(C)1, referencing 40 CFR 262 31 and 40 CFR 262 32

9 Hazardous waste containers not marked with the beginning date of accumulation, in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 34(d)(4), referencing 40 CFR 262 34(a)(2)

WHEREAS, the MDNR issued Notice of Violation No 5095 to Job Corps on March 5,

1998 for one additional violation of the Missouri Hazardous Waste Law and regulations

WHEREAS, Notice of Violation No 5095 alleged the following violation of the Missouri Hazardous Waste Law and regulations

1 Failure to determine if wastes are hazardous, in violation of 10 CSR 25-5 262(1), incorporating 40 CFR 262 11

WHEREAS, the MDNR and Job Corps discussed terms upon which to amicably resolve any and all claims which may be made against Job Corps for any alleged violations of the Missouri Hazardous Waste Management Law and regulations listed in Notices of Violation Nos 5078 and 5095

WHEREAS, the MDNR, Job Corps, and the Missouri Attorney General desire to amicably resolve all disputes or claims which might be made against Job Corps for the above-claimed violations without Job Corps admitting the validity or accuracy of any such claims

NOW, THEREFORE, in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the MDNR, the Missouri Attorney General, and Job Corps agree as follows

1 The provisions of this Agreement shall apply to and be binding upon the parties executing this Agreement, their successors, assigns, agents, subsidiaries, affiliates, and lessees, including the officers, agents, servants, and any persons acting under, through, or for the parties

2 Job Corps, in compromise and satisfaction of all allegations or claims related to the above-referenced alleged violations, agrees, without admitting liability or fault, to pay the sum of One Thousand Dollars \$1000 00 as a civil penalty Job Corps agrees to send a check for One Thousand Dollars at the time Job Corps signs the Settlement Agreement The check shall be

made payable to the "St Louis County Treasurer as Trustee for the St Louis County School Fund" The check shall accompany Job Corps' executed copy of the Settlement Agreement, and shall be delivered to the Missouri Attorney General's Office addressed as follows Kara L Valentine, Assistant Attorney General, Environmental Protection Division, Office of the Missouri Attorney General, P O Box 899, Jefferson City, Missouri 65102-0899

3 Job Corps voluntarily agrees to request technical assistance from the United States Department of Labor, Office of Job Corps, to provide additional employee hazardous waste training and to request that the United States Department of Labor conduct an environmental audit of its St Louis facility within 10 days of signing this Agreement and in accordance with the attached proposal by the Job Corps dated January 29, 1999 Within 90 days of signing this Agreement, the United States Department of Labor shall provide the MDNR with written documentation that certifies which employees were trained, the date they were trained, and the topics trained Within 90 days of signing this Agreement, the United States Department of Labor shall provide the MDNR with a copy of its audit findings Should violations be discovered during the audit, the United State Department of Labor by and through its Job Corps Center Operator shall immediately take action to correct the violations and return to compliance The MDNR agrees not to take further enforcement action, including assessment of a civil penalty, against the United States Department of Labor and Job Corps Center Operator and its contractor for violations noted in the voluntarily audit as long as the violations are immediately addressed and corrected, either by remedial action upon the MDNR's approval or an MDNR approved work plan to address the violations

4 Upon full payment of all penalties and compliance with all provisions of this

Agreement, the MDNR and Attorney General's Office agree not to bring, or cause to be brought, any civil action against Job Corps for the violations set forth in Notices of Violation Nos 5078 and 5095

5 Nothing in this Settlement Agreement shall preclude the State from seeking equitable or legal relief for future violations of the Missouri Hazardous Waste Management Law and regulations

6 The Attorney General's Office will send Job Corps a fully executed copy of the Settlement Agreement The effective date shall be the date the MDNR signs the Agreement

7 Job Corps agrees to comply with the Missouri Hazardous Waste Management Law and regulations at all times in the future

SIGNATURES

ST LOUIS JOB CORPS CENTER

BY _____

TITLE _____

DATE _____

UNITED STATES DEPARTMENT
OF LABOR

BY _____

TITLE _____

DATE _____

MISSOURI ATTORNEY GENERAL'S
OFFICE

JEREMIAH W (JAY) NIXON
Attorney General

BY _____

Kara L Valentine
Assistant Attorney General

DATE _____

MISSOURI DEPARTMENT OF NATURAL
RESOURCES


BY _____

John A Young, Director
Division of Environmental Quality

DATE _____

42014

MINACT, INC.
ST LOUIS JOB CORPS CENTER
4333 GOODFELLOW
ST LOUIS MO 63120

 **GATEWAY NATIONAL BANK**
3412 North Union Boulevard St Louis Missouri 63115

4-144/810

DATE APRIL 1, 1999

PAY 1,000.00 DOLLARS \$1,000.00XXXX

TO THE ORDER OF
ST LOUIS COUNTY TREASURER
TRUSTEE FOR THE ST. LOUIS COUNTY SCHOOL FUND
P.O. BOX 899
JEFFERSON CITY, MO 65102-0899

VOID AFTER 90 DAYS
Melissa Lewis
Ly. Keith

⑈042014⑈ ⑆081001442⑆ 12001902⑈

MINACT, INC

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY NO RECEIPT DESIRED

DELUXE - FORM WVC-3 V-3

DATE	INVOICE NO	DESCRIPTION	AMOUNT	DEDUCTIONS		NET AMOUNT
				PARTICULARS	AMOUNT	
01/01/99	6305-3412	STETTLEMENT AGREEEMNT KARA L. VALENTINE ASSIST ATT GENERAL ENVIRONMENTAL PROTECTION DIVISION OFFICE OF THE MISSOURI	1000.00			1000.00

ST. LOUIS



CENTER

4333 Goodfellow Boulevard
St Louis, Missouri 63120
(314) 679-6200

January 29, 1999

Donna Kay
Acting Regional Director
U S Department of Labor
Office of Job Corps
City Center Square
1100 Main Street, Suite 1000
Kansas City, MO 64105-2112

Attn: **Jerry Davis**
Project Manager

Dear Ms Kay

Attached, please find a letter to the Missouri Department of Natural Resources for your review and approval

If you have any questions, please feel free to contact me

Sincerely,

Sterling Roath, Jr
Center Director

CR bp

pc Rodney Salimi, DTS, Inc

Approved

Contracting Officer Date

Disapproved

Contracting Officer Date

Concure

Operated by MINACT, INC Under Contract With Department of Labor
An Equal Opportunity Employer

ST. LOUIS



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4333 Goodfellow Boulevard
St Louis, Missouri 63120
(314) 679-6200

January 29, 1999

John Jurgensmeyer
Environmental Specialist, Hazardous Waste Enforcement Unit
Missouri Department of Natural Resources
P O Box 176
Jefferson City, MO 65102-0176

Dear Mr Jurgensmeyer

In response to Missouri Department of Natural Resources (MDNR) letter dated November 25, 1998, St Louis Job Corps Center is proposing the following actions for improvement of its environmental management

1) *ADDITIONAL STAFF TRAINING*

Within 10 days of this agreement, St Louis Job Corps Center will request technical assistance from the United States Department of Labor, Office of Job Corps to provide additional hazardous waste management training to at least three (3) of its key staff members who will directly handle and manage the Center's hazardous waste management program. The training program will be performed by a qualified outside consultant and will provide a comprehensive review of Resource Conservation and Recovery Act (RCRA) and the Emergency Planning and Community Right-to-Know Act (EPCRA). The training program will cover the following topics

- Identification of solid and hazardous wastes
- Conducting and maintaining chemical inventory
- Hazardous waste activity notification
- Reporting toxic chemical releases
- RCRA permits
- Hazardous waste accumulation and storage requirements
- Shipping, labeling and manifesting
- Generator, transporter, and TSD facility requirements
- Understanding the land disposal restrictions
- RCRA corrective actions

- Pollution prevention
- EPA/State enforcement

2) ***ENVIRONMENTAL COMPLIANCE AUDIT***

Within 10 days of this agreement, St Louis Job Corps Center will request that the United States Department of Labor conduct an internal environmental compliance audit (ECA) of its facilities located at 4333 Goodfellow Boulevard, St Louis, Missouri. The objective of the ECA will be to evaluate the Center's compliance with applicable federal, state, and local environmental regulations. After completing the audit, a report will be generated that identifies the potential areas of non-compliance, and provides recommendations by which the Center could improve its environmental management practices, particularly in the area of hazardous waste management. St Louis Job Corps Center is committed to and will request that the United States Government rectify any violation(s) that may be discovered as a result of ECA on a mutually agreeable schedule. However, for purpose of agreement, St Louis Job Corps Center should be identified and/or held harmless by and through its operating contractor, and the United States Government and any other parties of any potential fine or penalty by appropriate federal, state, or local authorities that may arise as a result of findings of this self-applied and voluntary inspection. The goal of ECA will be to focus attention on locations at the Center with higher potential for generation and storage of hazardous waste (i.e. paint shop, welding shop, maintenance shop etc.) The following requirements will be covered during the ECA:

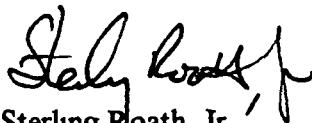
- ***SOLID AND HAZARDOUS WASTE***
 - Missouri Hazardous Waste Management Law and Regulations, Sections 260.350-260.430, RS MO
 - General Regulations for Hazardous Waste Management, 40 Code of Federal Regulations (CFR) 260
 - Identification of Hazardous Waste, 40 CFR 261
 - Hazardous Waste Generators, 40 CFR 262
 - Hazardous Waste Transporters, 40 CFR 263
 - Permitted Hazardous Waste Facilities, 40 CFR 264
 - Interim Status Standards for Hazardous Waste Facilities, 40 CFR 266
 - Land Disposal Restrictions, 40 CFR 268
- ***SUPERFUND AMENDMENT AND REAUTHORIZATION ACT (SARA)***
 - Emergency Planning and Notification, 40 CFR 355
 - Hazardous Communication Reporting (Community Right to Know), 40 CFR 370
 - Toxic Chemical Release Reporting, 40 CFR 372
- ***COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)***
 - National Oil and Hazardous Substance Pollution Contingency Plan, 40 CFR 300

- **USED OIL**
-Regulations on Used Oil Management, 40 CFR 279
- **UNDERGROUND STORAGE TANKS**
-Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks, 40 CFR 280
- **SPILL PREVENTION**
-Oil Pollution Prevention, 40 CFR Part 112
-Discharge of Oil, 40 CFR 110
- **PESTICIDE APPLICATION**
-Recommended Procedure for Storage and Disposal of Pesticides, 40 CFR 165
- **POLYCHLORINATED BIPHENYLS (PCBs) MANAGEMENT**
-PCBs Manufacturing, Processing, Distribution in Commerce and Use Prohibitions, 40 CFR Part 761
- **WATER POLLUTION CONTROL**
-National Pollutant Discharge Elimination System (NPDES) 40 CFR 122
- **AIR**
-Clean Air Act as amended, 40 CFR 50-99
- **ASBESTOS**
-National Emission Standards for hazardous Air Pollutants (NESHAP), 40 CFR 61, Subpart M

3) **MONETARY COMPENSATION**

St Louis Job Corps Center agrees to pay to Missouri Departmental of Natural Resources the amount of one thousand dollars (\$1000) for the final settlement of all penalty assessments by MDNR as stated in the letter dated November 25, 1998

Sincerely,



Sterling Roath, Jr
Center Director

SR bp

pc Rodney Salimi, DTS, Inc

From PAUL W MILAM
To REGION_07 ETA.DKAY
Date Tue, Feb 9, 1999 11 18 AM
Subject St. Louis Job Corps Center

Donna,

This is a followup to my conversation with Jerry Davis on January 29 at which time we discussed a response letter the St Louis center was preparing to forward to the Missouri Dept of Natural Resources. As you know, the letter outlined several action items the center was proposing for improving its environmental management area

The letter identified two action items, additional staff training and an environmental audit as needing Department of Labor approval before implementation This is to inform you that Bob Sabochik has approved both recommended items

If you have any questions, please do not hesitate to contact me

CC REGION_07 ETA JDAVIS, PMILAM, BSABOCHIK, JobCorps

ST. LOUIS



CENTER

4333 Goodfellow Boulevard
St Louis, Missouri 63120
(314) 679-6200

March 23, 1999

Donna Kay
Acting Regional Director
U.S. Department of Labor
Office of Job Corps
City Center Square
1100 Main Street, Suite 1000
Kansas City, MO 64105-2112

Attn Jerry Davis
Project Manager

Dear Ms. Kay:

Attached, please find the settlement agreement between the St. Louis Job Corps Center and the State of Missouri relating to hazardous waste. The agreement is presented for contracting officer review and approval.

Staff Training

Pursuant to the settlement agreement, the St. Louis Job Corps Center officially requests technical assistance to provide additional employee hazardous waste management training for at least three key staff members who directly handle and manage the Center's hazardous waste management program.

We further request that the training program be performed by a qualified outside consultant and will provide a comprehensive review of the Resource Conservation and Recovery Act (RCRA) and the Emergency Planning and Community Right to Know Act (EPCRA). The training program should cover topics as follows:

- Identification of solid and hazardous wastes

Jan 29 4:11:51 PM '99

Letter Donna Kay
Technical Assistance/Hazardous Waste
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Page 2

- Conducting and maintaining chemical inventory
- Hazardous waste activity notification
- Reporting toxic chemical release
- RCRA permits
- Hazardous waste accumulation and storage requirements
- Shipping, labeling and manifesting
- Generator, transporter and TSD facility requirements
- Understanding the land disposal restrictions
- RCRA corrective actions
- Pollution prevention
- EPA/State enforcement

Within 90 days of the signing of the agreement, the Department of Labor, by and through its Job Corps Center operator, must provide the Missouri Department of Natural Resources with written documentation that certifies which employees were trained, the date they were trained and the topics trained

Environmental Compliance Audit

The St. Louis Job is officially requesting that the United States Department of Labor conduct an internal environmental compliance audit of its facilities located at 4333 Goodfellow Boulevard, St. Louis, Missouri. The objective of the audit should be to evaluate the Center's compliance with applicable federal, state and local environmental regulations. After completing the audit, we request a report be generated to identify the potential areas of non-compliance and provide recommendations by which the Center could improve its environmental management practices, particularly in the area of hazardous waste management. Within 90 days of the signing of the agreement, the Department of Labor must provide the Missouri Department of Natural Resources with a copy of its audit findings.

As a result of this audit, should violations be discovered, the United States Department of Labor shall immediately take action to correct the violations and will hold harmless and/or indemnify its operating contractor and any other parties of any potential fine, penalty and/or assessment which may be imposed by the appropriate federal, state or local authorities. In addition, the goal of the audit should be to focus attention with higher potential for generation and storage of hazardous waste (i.e. paint shop, welding shop, maintenance shop, etc.). Moreover, we request requirements be covered during the audit as follows.

Letter

Donna Kay
Technical Assistance/Hazardous Waste
March 23, 1999
Page 3

- Solid and Hazardous Waste applicable statutes and regulations
- Superfund Amendment and Reauthorization Act (SARA) applicable statutes and regulations
- Used Oil applicable statutes and regulations
- Underground Storage Tanks applicable statutes and regulations
- Spill Prevention applicable statutes and regulations
- Pesticide Application applicable statutes and regulations
- Polychlorinated Biphenyls (PCBs Management applicable statutes and regulations
- Water Pollution Control applicable statutes and regulations
- Air applicable statutes and regulations
- Asbestos applicable statutes and regulations

If you have any questions, please feel free to contact me.

Most sincerely,



Sterling Roath, Jr.
Center Director

SR/bp

Staff Training

- () Approved
() Not Approved

Environment Compliance Audit

- () Approved
() Not Approved

Contracting Officer

Date

Contracting Officer

Date